

copolymer."

However, all claims pending in the application, namely 3-13, remain rejected under 35 U.S.C. 103(a) as being unpatentable over Kono et al or Kashiwazaki et al in view of Smigo et al. The Examiner's position remains that both Kono and Kashiwazaki disclose gelatin as a binder and use of cationically modified polyvinyl alcohol within the required range of the invention claims. Applicants respectfully disagree.

The Examiner has acknowledged that Kono et al. **does not** use the copolymer required by the present claims. In addition, Kono at Column 7 lines 8 to 20 states:

"The cationic group of the cationically modified product of PVA may be present, when represented in terms of the molar fraction of the monomer unit in the polymer, in an amount ranging between 0.05 and 20 mole%, preferably 0.1 to 10 mole%, of the total monomer units. The amount of cationic of 0.05 mole% or less may result in insufficient effects in the ink jet recording properties such as **water resistance of an ink receiving layer, resolution, and coloring properties**, as compared with unmodified ones. On the other hand, the amount of 20 mole% or more may result in poor adhesion of a substrate to the ink receiving layer or poor film forming property thereof, undesirably."

Unlike the invention, the Kono reference does not teach or suggest light stability. Table 1 in the present specification show the **particular combination and amounts of copolymers** used in the invention provide an increase of light-fastness when compared with the Comparative Example. The data show the ink fixing time is drastically reduced. Accordingly, it is respectfully requested that the rejection in view of Kono be withdrawn.

Although the Examiner acknowledges that Kashiwakazi et al. does not mention that the catPVA increases light fastness, she states that there is sufficient motivation to combine the teachings of Kashiwazaki with Smigo and that "increased light fastness would be an inherent result of the combination." Applicant's respectfully disagree.

The cationically modified polyvinyl alcohol used in examples

1 and 9 (CM-318) of Kashiwazaki have a cationization degree of about 2 mole%; the cationically modified polyvinyl alcohol used in example 15 (C-506) has a cationization degree of about 1 mole%. These degrees of modification are much lower than the degree of modification of the invention copolymers.

Further, Kashiwazaki at Column 7 lines 8-20 states:

"The amount of cationic groups existing in such a cationically modified PVA is preferably within a range of from 0.1 to 10 mole% of the total monomer units in the polymer. If the existing amount of the cationic groups is lower than 0.05 mole%, improving effects on water resistance of the ink-jet printing layer and ink-jet printing properties such as resolution of images and coloring ability are not fully achieved even as compared with the case where unmodified PVA is use. On the other hand, if the amount exceeds 30 mole%, adhesion of the ink receiving layer to a base material and film-forming property are deteriorated."

It is well-settled that the mere fact that the prior art could be modified to form the invention would not make that modification obvious unless the prior art suggested the desirability of the modification. In re Laskowski, 10 U.S.P.Q. 2d 1397, 1398 (Fed. Cir. 1989); In re Gordon, 733 F.2d 900, 902, 221 U.S.P.Q. 1125, 1127 (Fed Cir. 1984). It is submitted that the cited art does not teach or suggest the desirability of modifying the ink receiving layer of Kashiwazaki which comprise "inorganic fine particles and a resin" in view of the secondary reference to Smigo, which as the Examiner previously acknowledged did not teach the combination of additives and copolymer of the invention.

Thus, none of the art cited by the Examiner, either alone or in combination provide a recording sheet with improved light fastness, water fastness and good stability comprised of a copolymer and binder wherein the copolymer is present in an amount between 10 to 75 weight percent of the combined amount of the copolymer and binder.

Independent Claims 12 and 13 have been amended to specify that the percent range claimed is a "weight %". Claim 5 has been canceled. Accordingly, the Examiner's rejections under 35 U.S.C. 112 have been overcome and are requested to be withdrawn.

Finally, enclosed with this amendment are unmarked copies of the claims pending as of the amendments made herein.

In view of the foregoing, Applicants submit that this application is now in condition for allowance. No new matter has been introduced by this Amendment. Reconsideration of this application and allowance of Claims 3-13 are hereby requested. If a telephone interview would be useful to advance this case, then the Examiner is invited to telephone the undersigned.

Respectfully submitted,

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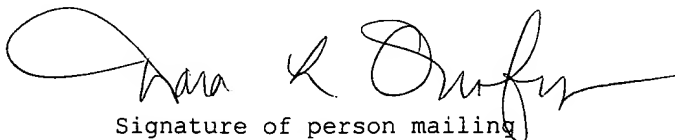
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